

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Miller et al.
Application No.:	10/790941
Filed:	March 1, 2004
For:	Automated Markerband Nest Placement Crimper
Examiner:	Jermie E. Cozart
Group Art Unit:	3726

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: S63.2-10812-US01

TRANSMITTAL LETTER

1. In regard to the above-identified application, in addition to this 1 page transmittal letter, we are submitting the attached:
1 page Notice of Appeal from the Examiner to The Board of Patent Appeals and Interference; 1 page Pre-Appeal Brief Request for Review; 5 page Pre-Appeal Brief Request for Review; and 1 page Petition for an Extension of Time.
2. With respect to fees:
 - Please charge any fees due to Deposit Account No. 22-0350.
 - No fee is believed to be due.
3. **CONDITIONAL PETITION FOR EXTENSION OF TIME**
This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time or for a petition and fee for any other matter petitionable to the Commissioner as required. If any extension of time for the accompanying response is required or if a petition for any other matter is required, by petitioner, Applicant requests that this be considered a petition therefor.
4. Notwithstanding paragraph 2 above, if any additional fees associated with this communication are required and have not otherwise been paid, including any fee associated with the Conditional Petition for Extension of Time, or any request in the accompanying papers for action which requires a fee as a petition to the Commissioner, please charge the additional fees to Deposit Account No. 22-0350. Please charge any additional fees or credit overpayment associated with this communication to the Deposit Account No. 22-0350.
5. **Certification:** I hereby certify that this Transmittal Letter and the paper(s) as described herein are being transmitted electronically to the USPTO on October 18, 2007.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: October 18, 2007

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